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Mayor Charles Henderson called the meeting to order at 7:00 p.m.

The audience recited the Pledge of Allegiance in unison, after which Pastor Dane Sinn of the Smith Valley Baptist Church led in prayer.

PRESENT: Council members Bruce Armstrong, Ron Bates, Bill Bless, Ron Deer, John Gibson, Keith Hardin, Jessie Reed; Mayor Henderson; Clerk-Treasurer Jeannine Myers; City Attorney Shawna Koons-Davis.

Mr. Bates moved to approve the minutes of April 3rd as presented. Second was by Mr. Hardin. Vote: Ayes (Armstrong – Abstain).

At this time the board chairman J.P. Renner for Johnson County Senior Services gave a brief presentation to ask for the continued support of the Council. Mr. Renner had distributed a packet for the council's review and pointed out that about 56% of their clients are from the 46142 and 46143 zip code areas. He said they would provide their annual report upon request showing how they are funded. Mr. Hardin requested a copy of the annual report and asked that they invoice us for the \$10,000 contribution. Mr. Hardin stated he would like to add Johnson County Senior Services to the 2007 Council budget and make an appropriation of \$10,000. Mr. Armstrong said that he and Ms. Reed had discussed the support for Senior Services as Council presidents when the 2004 and 2005 budgets were created. He recalled the request for \$20,000 for purchase of a vehicle to be spread over two years and that they did not come back with another request. Mr. Renner stressed the personal touch with the elderly clients, staying with them from the time of pickup for the appointment to bringing them back home. After discussion, Mr. Hardin moved to fund Johnson County Senior Services for \$10,000 in 2006 from the General Fund and add them to the Council budget for 2007. Second by Mr. Bless. Mr. Armstrong moved to table the motion until next meeting when figures are available from the Clerk-Treasurer. Second by Mr. Hardin. Vote: Ayes. TABLED UNTIL MAY 1ST MEETING.

The City Attorney had distributed her litigation report. There were no questions from the Council.

Mr. Hardin reported on the Plan Commission. First was the Aldi proposal for sidewalks by their warehouse. The Plan Commission agreed that the sidewalk installation could be delayed for two years, or when the property between their retail facility and their warehouse is developed. There was also discussion of the annexation of 10 acres, and a site development plan for the Easy Street area as well as a site plan approval.

Mr. Armstrong indicated that the architectural standards committee met three weeks ago and discussed increasing the minimum lot sizes for different zoning classifications. There is a follow-up meeting this Thursday, and he hopes to have something to bring to the Council within the next month or so. He asked the Clerk-Treasurer to post notice of the meeting on April 20th at 6:00 p.m. at the Planning Office.

RESOLUTION No. 06-07 – A Resolution Authorizing a Temporary Loan for the Fire Fund (\$325,000) from the Cumulative Capital Development (CCD) Fund. Ms. Reed moved to pass Resolution No. 06-07 through first reading. Second by Mr. Bates. Vote: Ayes. **PASSED FIRST READING.**

RESOLUTION No. 06-08 – A Resolution of the Greenwood Common Council Authorizing the Establishment of a Re-Entry Court Through the Greenwood City Court and the Filing of a Grant Application for Funding Said Court With the

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Indiana Criminal Justice Institute, the Indiana Department of Correction and/or the U.S. Department of Justice. Mr. Gibson moved to pass Resolution No. 06-08 on first reading. Second by Mr. Bates. In response to Mr. Bates, Judge Gregory confirmed that it would be a handful of people, but from Johnson County instead of only Greenwood. Judge Gregory confirmed that a re-entry court cannot take people from outside the County. This clientele comes out of the D.O.C. and would be in the community under any set of circumstances; the only question is whether they are under the normal parole system or under a community control system. He told Mr. Hardin that this legislation was just enacted by the 2006 General Assembly and was tailored for cities and towns. In response to Mr. Deer the judge explained that the County has a community transitions program, although the City Court has no contact with it. He understands that it allows the County judges to authorize the early release of an inmate to come under County supervision. The re-entry court program does not involve an early release program at all, he added. Judge Gregory said he would further research the transitions program. Mr. Hardin expressed his concerns about the program growing so large that present staff would not be equipped to handle the numbers and wondered about partnering with the County. Judge Gregory responded that he is willing to follow the direction of the Council. Ms. Reed suggested starting the program as outlined and see if the program develops so that more courts need to be involved. Mr. Hardin reiterated that he does not feel that Greenwood is ready to establish a re-entry court but would like to see more information and see if there is cooperation from other agencies. In response to Mr. Deer, counsel confirmed that a consensus from the Council to support Judge Gregory moving forward to put forward a plan would be adequate, if he were not filing for grant application funds. Mr. Deer then moved to withdraw Resolution No. 06-08. Second by Mr. Hardin. Mr. Armstrong suggested instead changing the wording in Section 1 of the Resolution from "to establish and operate" to "investigate and develop a plan". The City Attorney suggested tabling the resolution. Mayor Henderson said that the resolution involves obtaining a grant, which is a time-consuming process, and if the grant is denied the issue is dead, because the Judge has assured us that no tax dollars will be involved. Mr. Hardin withdrew his second at this point and Mr. Deer his motion to withdraw Resolution No. 06-08. Mr. Armstrong moved to amend Section 1 to amend "establish and operate a re-entry court" to "investigate and develop a plan to operate a re-entry court" and the caption. Second by Mr. Hardin. Vote: Ayes. **AMENDED.** Ms. Koons-Davis advised that the resolution needs to be amended further, because Section 2 authorizes the filing of a grant application. From the audience, attorney Rob Seet told the Council that he struggles with the statement it is not an early-release program and urged caution on the part of the Council. Mr. Seet went on to describe the community transition program run through the felony courts, where the sentencing judge has to approve the individual for the program. Mr. Seet also expressed his concern that we would be increasing our citizens' exposure to crime. Significant discussion on the Allen County re-entry court followed. Mr. Deer asked if Mr. Seet, as an attorney with experience in the County courts, would be willing to write a position paper to answer some of the questions the Council has had. Judge Gregory can answer some of those same questions, he said, and the Council can debate the issue. Judge Gregory came forward again and noted that the parole board handles the assignment to re-entry. As to being forced to take people we don't want, the Judge indicated that he would have the final say, as head of the City Court, about who enters the program. Finally, Judge Gregory assured the Council that he is not trying to get jurisdiction from anyone. There was more discussion as to the size of the staff needed. Vote: Ayes. **RESOLUTION No. 06-08 PASSED FIRST READING AS AMENDED.**

RESOLUTION No. 06-03 – A Resolution of the Greenwood Common Council Expressing Interest in the Purchase of Land. Mr. Deer moved to pass Resolution No. 06-03 through first reading. Second by Mr. Armstrong. Mr. Bates indicated

that at some point all City departments needed to be under one roof, citing the money being spent to lease office space. Mr. Hardin said that we have not established how the property should be developed or used. Mr. Armstrong noted the lack of a specified need and the lack of funding and agreed we are not ready for it. Vote: Nays. **RESOLUTION No. 06-03 FAILS.**

ORDINANCE No. 05-38 – An Ordinance Annexing Certain Territory Contiguous to the City of Greenwood, Indiana, Placing the Same Within the Corporate Boundaries Thereof and Making the Same a Part of the City of Greenwood and Redefining the Corporate Boundaries of the City of Greenwood, Indiana, Approximately 92.186 Acres Located Southwest of the Intersection of County Road 700 North and County Road 125 West, and Commonly Known as the Clark Pleasant Community School Corporation Property. **SECOND READING POSTPONED UNTIL MAY 1, 2006 MEETING.**

ORDINANCE No. 06-09 – An Ordinance to Establish a Special Non-Reverting Fund to Administer Money Received for Dog Park Purposes. Mr. Hardin moved to pass Ordinance No. 06-09 through second reading. Second by Mr. Gibson. Vote: Ayes. **PASSED SECOND READING.**

Resolution No. 06-06 – A Resolution Electing to Enlarge Participation in the Public Employees' Retirement Fund. Mr. Gibson moved to pass Resolution No. 06-06 on second reading. Second by Mr. Bates. Vote: Ayes. **PASSED SECOND READING.**

RESOLUTION No. 06-09 – A Resolution of the Greenwood Common Council to Adopt the Written Fiscal Plan For the Annexation of Approximately 10.76 Acres Located on the South Side of County Line Road and the East Side of Airport Parkway, Referencing Annexation Ordinance No. 06-11. The City Attorney noted that the Versacom and the Urology Associates buildings are sitting on that tract. It was mistakenly thought to have been annexed in 1986; it was not. **INTRODUCED.**

ORDINANCE No. 06-10 – An Ordinance to Amend the Official Zoning Map Adopted by Reference in Zoning Ordinance No. 82-1 Entitled "An Ordinance Establishing Comprehensive Zoning Regulations For the City of Greenwood, Indiana, and Providing For the Administration, Enforcement, and Amendment Thereof, In Accordance With the Provisions of I.C. 36-7-4-600 et seq. Laws of Indiana As Amended, and For the Repeal of All Ordinances In Conflict Herewith" (Proposed Rezoning of approximately 10.76 acres located on the south side of County Line Road and the east side of Airport Parkway, commonly known as the J. Greg Allen & Associates, Newlin Properties, LLC, and Urology of Indiana Property). **INTRODUCED.**

ORDINANCE No. 06-11 – An Ordinance Annexing Certain Territory Within the Area of Extended Jurisdiction of the City of Greenwood, Indiana, Placing the Same Within the Corporate Boundaries Thereof and Making the Same a Part of the City of Greenwood and Redefining the Corporate Boundaries of the City of Greenwood, Indiana, Approximately 10.76 Acres Located on the South Side of County Line Road and the East Side of Airport Parkway (commonly known as the J. Greg Allen & Assoc.; Newlin Properties, LLC; and Urology of Indiana Property). **INTRODUCED.**

Mr. Deer asked a procedural question concerning the above referenced property. Ms. Koons-Davis explained that the fact it had not been annexed was found while researching something else. In response to Mr. Deer, she clarified that we have been receiving taxes and providing services to this property, so when this is fixed we'll be fine.

ORDINANCE No. 06-12 – An Ordinance Providing For an Additional Appropriation From the General Fund (\$16,000) to the City Court For Video Conference System Installment Payment. Judge Gregory told the Council that this is the second of three installments to pay for a portion of the cost of upgrades – about \$150,000 to \$160,000 worth of equipment installed in 2003 and 2004. A Justice Department grant of \$75,000 was approved, along with a \$30,000 appropriation from the City for security cameras and video monitors. They rolled the remainder into a three-year lease with a \$0 buy-out, said Judge Gregory. To date, he told the Council, there is roughly \$15,000 in accumulated late fee revenue in the General Fund. This installment is due in May. **INTRODUCED.**

At this point, Mr. Bates moved to take Resolution No. 06-05, the tax abatement for Greenbrooke Medical Pavilion, off the table. Second was by Mr. Bless. Vote: Ayes. Ms. Koons-Davis has not received the resolution from the Redevelopment Commission and will need to amend it. Mayor Henderson advised that he will ask for suspension of the rules, as the delay was no fault of the developer and he considers the project a quality professional building. Mr. Hardin asked that the amended copy be sent in their packet from the Law Department. Ms. Koons-Davis will include that, as well as a motion to amend. **RESOLUTION No. 06-05 OFF THE TABLE AND SCHEDULED FOR FIRST READING MAY 1, 2006 MEETING.**

Under miscellaneous business, Mr. Bates mentioned an e-mail from Thane Morgan informing him that tonight's agenda was not posted on-line. He said that it would also be helpful to see the supporting documents to agenda items posted as well. Mr. Deer thought that if Elaine got the agenda to the C.I.O. it could be posted the same Thursday that the Council receives it.

In responding to an article in the *Daily Journal* last weekend on parking available downtown, Mr. Bates said he thought about what we have done in recent years and about our property next door ready to be razed, which might make more parking available for Old Towne Greenwood. The Mayor said that staff would look into that. Mr. Deer suggested talking with the Planning Director about studies by Ball State and others. He thinks there is a misconception about the number of parking spaces available in downtown Greenwood and said there is adequate parking. Mayor Henderson agreed with that – as long as we have the bank lot.

Mr. Deer then requested that the City Attorney draft an ordinance establishing a Late Fees Fund for the City Court.

Ms. Myers reported final approval from the Department of Local Government Finance on the Cum Cap appropriation of \$1.6 million for the Valle Vista Project. Mayor Henderson reported that they have had the preconstruction meeting and hope to be doing full-fledged work by May 1st. The estimated timeline is 3 months.

In response to Ms. Reed, the Mayor said we are still on schedule for the sidewalks on Howard Road.

Ms. Koons-Davis reported that she did receive the Compliance with Statement of Benefits for tax abatement on Patillo Industrial Partners, LLC, Block 9, Lot 9A of Precedent South Business Center. Mr. Bless moved to find them in compliance, with second by Mr. Bates. Vote: Ayes. Motion carried.

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The Mayor commented on the pamphlets on the Smoking Regulation Ordinance. Staff put them together and Partnership for a Healthier Johnson County paid for them. Signs are also being printed.

Mayor Henderson reported on his visit to the Indianapolis \$2 billion dollar sanitary sewer project which is the first phase of fixing their combined stormwater overflow problem. We can expect an increase in fees, which will come before the Council within the next twelve to eighteen months.

On April 19th, Mr. Deer will attend a Regional Transportation Authority meeting in Mooresville. Mayor Henderson said we are still working on getting an appointment to that board.

The Mayor described a situation in an area within the Villages at Grassy Creek where there are ten houses, he said, with a possibility of at least 50. The owner, Dean McFarland, has told the residents that they will not honor the commitments that were made to them and want to sell land to builders for single-family rental homes. The Mayor is asking the City Attorney to draft an ordinance restricting residential houses being built in an established residential area for rental and has gone to a meeting with the residents and Mr. McFarland. Mr. Armstrong said this is the third subdivision in his area where a developer has used a “bait and switch” tactic. He said he agrees with the Mayor and wants to protect the people that build early.

Mr. Deer commended the Fire and Police departments on the job in his neighborhood during an early morning fire. The affected residents commented on the professionalism and the limit to the damage.

With no further business, the meeting adjourned at 7:50 p.m.

Charles E. Henderson, Mayor

Jeannine Myers, Clerk-Treasurer